

Article - Labor and Employment

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§11–503.

(a) In this subtitle the definitions set forth in § 3 of the federal Act shall apply; definitions set forth below shall have the meanings indicated.

(b) “Dislocated worker” means an individual who:

(1) (i) has been terminated or laid off or has received a notice of termination or layoff from employment;

(ii) 1. is eligible for or has exhausted entitlement to unemployment compensation; or

2. has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center referred to in § 121(e) of the federal Act, attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under State unemployment compensation law; and

(iii) is unlikely to return to a previous industry or occupation;

(2) has been terminated or laid off, or has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;

(3) is employed at a facility at which the employer has made a general announcement that the facility will close within 180 days;

(4) for purposes of eligibility to receive services other than training services described in § 134(c)(3) of the federal Act, career services described in § 134(c)(2)(A)(xii) of the federal Act, or supportive services, is employed at a facility at which the employer has made a general announcement that the facility will close;

(5) was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters;

(6) is the spouse of a member of the armed forces on active duty, as defined in 10 U.S.C. § 101(d)(1), and who has experienced a loss of employment as a

direct result of relocation to accommodate a permanent change in duty station of the member; or

(7) is the spouse of a member of the armed forces on active duty, as defined in 10 U.S.C. § 101(d)(1), and who has been providing unpaid services to a family member in the home and is unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment.

(c) “Federal Act” means the federal Workforce Innovation and Opportunity Act.

(d) “Governor’s plan” means the State plan as provided in § 102 of the federal Act.

(e) “Individual with a disability” means any individual with a disability, as defined in § 3 of the Americans with Disabilities Act.

(f) “Local plan” means a plan submitted by a local workforce area under § 108 of the federal Act, subject to § 106(c)(3)(B) of the federal Act and any final plan or modification as provided in the federal Act.

(g) “Low-income individual” means an individual who:

(1) receives, has received in the past 6 months, or is a member of a family that is receiving or has received in the past 6 months, assistance through:

(i) the supplemental nutrition assistance program established under the federal Food and Nutrition Act;

(ii) the program of block grants to states for temporary assistance for needy families program under Part A of Title IV of the federal Social Security Act;

(iii) the supplemental security income program established under Title XVI of the federal Social Security Act; or

(iv) State or local income-based public assistance;

(2) is in a family with total family income that does not exceed or is an individual with a disability whose own income does not exceed the higher of:

(i) the federal Office of Management and Budget poverty income guidelines; or

(ii) the United States Department of Labor, Bureau of Labor Statistics, 70% lower living standard income level;

(3) is a homeless individual, as defined in § 41403(6) of the federal Violence Against Women Act;

(4) is a homeless child or youth, as defined in § 725(2) of the federal McKinney–Vento Homeless Assistance Act;

(5) receives or is eligible to receive a free or reduced price lunch under the federal Richard B. Russell National School Lunch Act; or

(6) is a foster child on behalf of whom State or local government payments are made.

(h) “Participant” means an individual who has been determined eligible to participate in and who is receiving services (except follow–up services authorized under this title) under a program authorized under this title.

(i) “Performance standards” means the basic measures of performance for training programs to be prescribed by the Secretary and such variations of the standards as the Governor may prescribe.

(j) “Secretary” means the United States Secretary of Labor.

(k) “State Workforce Development Board” means the Governor’s Workforce Development Board, as provided in § 101 of the federal Act.

(l) “Supportive services” means services such as transportation, child care, dependent care, housing, and needs–related payments that are necessary to enable an individual to participate in activities authorized under the federal Act.

(m) “Training provider” means an entity that provides training and employment services to individuals described in § 11–504(b) of this subtitle.

(n) “Workforce development area” means a geographic area designated by the Governor in accordance with § 106 of the federal Act.

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